

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ATLANTIC SPECIALTY INSURANCE
COMPANY a/s/o BLI INTERNATIONAL,
INC.,

Plaintiff,

BLI INTERNATIONAL, INC. d/b/a
ALLEGiant HEALTH

Intervenor Plaintiff,

-against-

COSCO SHIPPING LINES CO., LTD., et al.,
Defendants.

1:21-cv-04878 (JLR)

NOTICE TO DEFENDANTS

JENNIFER L. ROCHON, United States District Judge:

A Lawsuit Has Been Filed Against You

Plaintiff Atlantic Specialty Insurance Company and Plaintiff-Intervenor BLI International Inc. (together, "Plaintiffs") have brought legal claims against Jajay Moto, Inc. and Ma Kam Fung. You are receiving this notice as a Defendant.

Plaintiffs allege that you breached a contract of carriage and duties and obligations as a common carrier; breached your duty to deliver cargo in good condition with negligence and gross negligence; breached your bailment obligations by failing to deliver cargo in good condition; and that Defendant Ma Kam Fung exercised complete domination over Defendant Jayjay Moto, Inc. such that Defendant Ma Kam Fung is personally liable. Plaintiff is seeking monetary damages in the amount of \$120,000 and Plaintiff-Intervenor is seeking monetary damages in the amount of \$20,919.96 against each Defendant. You are receiving this notice because you have not appeared in this action since your former counsel withdrew from representing you on February 22, 2022.

If You Do Not Respond to the Lawsuit, A Judgment May Be Filed Against You

Plaintiffs have asked the Court to enter a default judgment in its favor against you. A default judgment is a final ruling in a case because a defendant has failed to take action. Plaintiffs have asked the Court to conclude: (1) that you do not oppose Plaintiffs' allegations or disagree with its claims; and (2) that Plaintiffs are entitled to money damages against each Defendant. If you continue to fail to participate, the Court may grant Plaintiffs' request and enter the default judgment against you. A judgment is a public record with significant potential consequences against you, particularly if you do not pay the judgment. Plaintiffs may use the following legal tools to ensure payment of an unpaid judgment: (1) attachment (a court order seizing property), (2) imposition of a lien (giving a legal right to one's property until a debt has been paid) or garnishment (ordering someone holding funds on behalf of a defendant, such as an employer or a bank, to pay debts directly to the plaintiff to satisfy the judgement).

You May Still Respond to the Lawsuit

The Court has not granted the default judgment against you yet. You still have an opportunity to participate in the lawsuit. Enclosed is an order scheduling a Hearing for **February 16, 2023 at 11:00 a.m. (Eastern Time)** to discuss Plaintiffs' motions asking the Court to enter default judgment against you. You may participate in the conference by appearing at Courtroom 20B at Daniel P. Moynihan Courthouse, 500 Pearl Street, New York, NY, 10007. You may also have a lawyer appear for you.

Corporate Defendants

Defendants are cautioned that corporate entities may appear in federal court only through licensed counsel, *see Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007), and where such an entity "repeatedly fails to appear by counsel, a default judgment may be entered against it," *Grace v. Bank Leumi Tr. Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006)

(internal quotation marks omitted).

Opposition Requested

As stated in the related Order issued today, you are directed to promptly notify the Court. If you choose to contact the Court or file an opposition, you may state your factual and legal objections to Plaintiff's claims. If you do not have a copy of the Complaint, you may request one from Plaintiffs' lawyer, whose information is at the end of this Notice, or the Clerk of Court. If you decide to contact the Court, you must do so by **February 3, 2023**.

Any letter to the Court should clearly list the following case name and number:

ATLANTIC SPECIALTY INSURANCE COMPANY v. COSCO SHIPPING LINES CO., LTD., et al., 1:21-cv-04878.

You can mail or deliver the letter to:

United States District Court for the Southern District of New York
Attn: Clerk's Office / Judge Rochon
500 Pearl Street
New York, New York 1007

Service

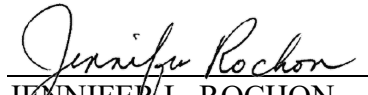
The Clerk of Court is respectfully directed to mail a copy of this Order to Defendants at the following addresses.

Ma Kam Fung
1945 Ashley Place
Westbury, NY 11590

JaJay Moto Inc.
1945 Ashley Place
Westbury, NY 11590

Dated: December 19, 2022
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge

Plaintiffs' Counsel:

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